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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No.	<u>09/494,213</u>
In re Continuation Reissue Application of:	Michael A. Martinelli
Based upon Reissue Appl. No.	09/231,854
Reissue Filing Date:	January 14, 1999
U.S. Patent No.	5,592,939
Issue Date:	January 14, 1997
Based upon Appl. No.	490,342
Filing Date:	June 14, 1995
Title:	METHOD AND SYSTEM FOR NAVIGATING A CATHETER PROBE
Attorney's Docket No:	MRTK-001RECON

**BOX REISSUE**

Assistant Commissioner for Patents  
Washington, DC 20231

**REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY  
BY MICHAEL A. MARTINELLI**

Sir:

I, Michael A. Martinelli, declare that:

1. My residence address is 58 Wedgemere Avenue, Winchester, MA 01890, USA.
2. I am a citizen of the United States of America.
3. I believe I am the original, first and sole inventor of the subject matter that is described

and claimed in United States patent number 5,592,939 ("the '939 patent" hereinafter), granted on January 14, 1997, and for which I solicit a reissue patent.

4. I have read and understand the contents of the attached reissue application, including the specification and claims.

5. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

6. I believe the '939 patent to be wholly or partly inoperative or invalid by reason of my claiming less than I had a right to claim in the patent. Specifically, the claimed method of determining the location of sensing coils erroneously included the limitation of being affixed to a distal end of a catheter probe partially inserted into a body cavity.

7. The above-identified error in the '939 patent has been corrected in the attached reissue application by adding new claims 26 through 47. In particular, claims 26, 29, 30, 37, and 41 correspond to original claims 1, 7, 8, 15, and 19, respectively, except for the removal of the limitation of being affixed to a distal end of a catheter probe partially inserted into a body cavity.

8. The above-identified errors in the '939 patent arose without any deceptive intent.

9. I appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Mark G. Lappin	Reg. No. 26,618	Ronald R. Demsher	Reg. No. 42,478
Toby H. Kusmer	Reg. No. 26,418	David M. Meilo	Reg. No. 43,799
Elizabeth A. Levy	Reg. No. 34,375	Debra A. Gaw	Reg. No. 38,463

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Telephone: (617) 535-4065  
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10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2/8/00  
Date

Michael A. Martinelli  
Michael A. Martinelli

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Attorney's Docket No:	

**BOX REISSUE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**ASSIGNEE CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Michael A. Martinelli hereby certifies that he is the assignee of the entire right, title and interest in the above-identified patent by virtue of a chain of title from the inventor of the patent to the current assignee as shown below:

1. From: Michael A. Martinelli

To: Medtronic, Inc.

2. From: Medtronic, Inc.

To: Michael A. Martinelli

The undersigned has reviewed all the documents in the chain of title of the above-identified patent and, to the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned intends to record these documents in the very near future.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: 2/8/00

By: Michael A. Martinelli  
Michael A. Martinelli



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BOX REISSUE

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

OFFER TO SURRENDER PATENT

The undersigned Assignee of the accompanying reissue application for the reissue of United States Patent No. 5,592,939, granted on January 14, 1997, entitled "Method and System for Navigating a Catheter Probe" of which **Michael A. Martinelli** is now sole owner by assignment, and on whose behalf and with whose assent the accompanying application is made, has offered to surrender said Patent in the above-referenced parent reissue application.

Respectfully submitted,

Date: 2/8/00

By: Michael A. Martinelli  
Michael A. Martinelli



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Attorney's Docket No: MRTK-001RECON

BOX REISSUE  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**ASSENT OF ASSIGNEE TO REISSUE**

The undersigned, assignee of the entire interest in the above-mentioned Letters Patent, hereby assents to the accompanying reissue patent application. Attached is a "Certificate Under 37 CFR 3.73(b)," establishing the right of the assignee to take action in this reissue application. The undersigned is empowered to sign this certificate on behalf of the assignee.

Respectfully submitted,

Date: 2/8/00

By: Michael A. Martinelli  
Michael A. Martinelli